

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, OCTOBER 4, 2021**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, October 4, 2021. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Counsel, Bill Bartos, Community Development Director, Samantha Walters and Economic Development Director, Dave Maley. Under #5 on the agenda is where the public can speak on any item that appears on tonight's agenda and under #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I'd like to remind everyone keep your mics off until you're ready to speak, mute your cell phones and anyone calling in, please mute yourself so that we can hold all the background noise to a minimum. Thank you.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Mike Gregg, Ted Herncane, Ed Lewis, Linda Litman, Jamie Slutz, Megan Starrett and Jim Thieret.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to make a motion that we excuse Councilman Mark Lombardi.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call.

8 yes to excuse Councilman Lombardi

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi has been excused.

2. INVOCATION

COUNCILWOMAN JILL CREAMER

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN CREAMER

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Creamer.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – No, they are not. I'm still working on getting use to our new website.

COUNCIL PRESIDENT ISTNICK – Thank you.

5. **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA**

6. **NEW AND MISCELLANEOUS BUSINESS**

COUNCIL PRESIDENT ISTNICK – I will probably not be here for the next meeting.

7. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 141 – 2021

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an annexation agreement with Perry Township, Stark County, Ohio, for the annexation of parcels #4301532, #4301533 and #4301534.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 141 – 2021 has received first reading. Ord. No. 142 - 2021

ORDINANCE NO. 142 – 2021

BY: ENVIRONMENTAL COMMITTEE

AN ORDINANCE amending Section 943.05 "STORMWATER FEE COLLECTION" of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCAINE – Thank you, Madam President. It is my understanding that the emergency language has been removed from this ordinance, so, we'll give it first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 142 – 2021 has also received first reading. Ord. No. 143 - 2021.

ORDINANCE NO. 143 – 2021

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending the rules of Massillon City Council by amending Rule 19 of Section 121.02 "RULES OF COUNCIL" of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 143 – 2021 has received first reading. Ord. No. 144 – 2021.

ORDINANCE NO. 144 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1238 Probation Services Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 144 – 2021 has received first reading.

8. UNFINISHED BUSINESS

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. I've been looking at Ord. No. 143 – 2021. It refers to an attached Exhibit "A". I do not have an attached Exhibit "A" for that legislation.

COUNCIL PRESIDENT ISTNICK – Diane will make sure that you get a copy.

COUNCILWOMAN LITMAN – Thank you.

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

11. REPORTS FROM CITY OFFICIALS

Auditor's Report - September 2021

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we accept the Auditor's Report.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Gregg. Roll call.

8 yes to accept the Auditor's Report

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The Auditor's Report has been accepted.

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – There will be a Streets and Highways Committee meeting at 5:30 p.m. Our Work Session will follow at 6:30 p.m.

COUNCIL CLERK ROLLAND – I think that's wrong.

COUNCILMAN THIERET – There is no meeting scheduled.

COUNCIL PRESIDENT ISTNICK – Not a problem. Our next meeting will be Monday the 11th.

COUNCILMAN LEWIS – It's a holiday.

COUNCIL PRESIDENT ISTNICK – Next Monday is a holiday?

COUNCIL CLERK ROLLAND – Yes. Columbus Day.

COUNCIL PRESIDENT ISTNICK – Oh. Tuesday the 12th.

COUNCIL CLERK ROLLAND – No, Council does not observe Columbus Day. I will be taking the day off, but I will be here for the meeting.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCIL CLERK ROLLAND – That's the way it was when I started.

COUNCIL PRESIDENT ISTNICK – Mayor, would you like to address Council?

MAYOR CATAZARO-PERRY – Good evening, Madam President, members of Council. Just to give you a quick update this evening. Some commercial projects that are in progress: ABC Induction is adding a \$400,000 addition on their building. Berens Tree building addition is a \$250,000 addition. Chipotle Mexican restaurant pulled a building permit and that will be located at 2600 Lincoln Way E. and then, of course, Five Below is going to back out to Massillon Market Place and their store is \$475,000. We had some questions, I believe it was last week or the week before about demolitions. So, I have an update for you tonight. Out of \$100,000, we have spent \$86,222.50. We've completed demolitions of two houses, two garages, one residential structure with a commercial structure. We have demolitions under contract, additional demolitions and one pending application. We also have a new website, it is disability friendly and for those of you that will be in the parade, the parade will be November 20th. Line-up is at 4:00 p.m. and the parade kicks off at 5:00 p.m. with a celebration after. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

13. **RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**
14. **CALL OF THE CALENDAR**
15. **THIRD READING ORDINANCE AND RESOLUTIONS**
16. **SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 138 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Block Grant (CDBG) Program Fund, for the year ending December 31, 2021.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 138 – 2021 has received second reading. Ord. No. 139 – 2021.

ORDINANCE NO. 139 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Block Grant (CDBG) Program Fund, for the year ending December 31, 2021.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 139 – 2021 has received second reading.

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

COUNCIL PRESIDENT ISTNICK – First, I'd like to just make a couple of comments. When the public comes up to speak, it's not Q & A; not question and answer. It is not a debate and I'm going to ask very nicely that we do not cut down the city employees. That you keep your comments positive. If you have something to say, that's fine, but we will not criticize the job of our public employees. If you do, I will hammer you out.

JOHN SALVATERRA – I live at 1660 Par Four Cir., Massillon, Ohio, at the Augusta Lakes allotment. The reason I'm here is because we had a meeting with the Mayor and a lot of people of the City of Massillon and we discussed a lot of things with the developer of the property. What we're getting is a lot of rain and the overflow is coming onto our property. You probably all know that because we've been here several times. But anyway, we what to know if somebody can give us an update on what's going on. The things that they've done, right behind my house and then three or four houses going down to the corner, all they've seemed to have done was build up this ledge higher and higher which is going to put more water there. I made a suggestion at the meeting we had with the Mayor, and again, with all the people that came from the City that they put a swell back there. They haven't done a thing on that side. They did do some work on the far side of this retention basin, detention basin; whatever they want to call it. And also, Ed (Lewis) I read in the paper something about you said that the City streets out there with all this heavy equipment driving up and down on it; well, believe me, it hasn't stopped. Anyway, I'd just like to know, and Jill came up the other day; she's been really good. She came out the other day and we went back and we looked over all of this, so, I don't know if she's got any updates for us or not. That's pretty much why we're here. We don't want

to cause trouble. All we want to do is save our property out there and this is just ruining everything in our allotment. Now, it's become about every day. So, that's all I have and I just hope you people understand that we need some help. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, John. Hopefully at the end of the meeting they'll be someone you could talk to. Anyone else from the community?

KATHI WHITMER – I live at 2100 Championship Cir., Massillon, Ohio. As John has said, while in the meeting with the Mayor and everyone, we were told that it was going to take three weeks to correct our problem. He's been out there three days. One day, twenty minutes, one day was maybe an hour and they came out and they sprayed green stuff to grow grass. I have never seen anyone out there to inspect it to see if what they did do is going to help our problem. Why he put that green stuff down already when it's supposed to take three weeks and he's only been out there three days. If someone could give us an answer on that. Also, we have read in the paper that there was supposed to be an access road or they were fighting for an access road for all of this heavy equipment. Now, this heavy equipment starts at like 7:00 or 7:30 in the morning and they're not quiet and that is more of a retirement area for people and we have some people with children, but 7:00 or 7:30 in the morning on a Sunday or a Saturday morning and they're coming down that road and I've got pictures of them and they're not little trucks; they're semis with heavy stuff on them. We have fought numerous times with the Safety Director about stopping this when they were doing the homes for the Parade of Homes. We wanted to know why they were using that road. I noticed the other day by Mr. Rink's house, the white semi that went by, the whole truck just zips down that road. They are sinking our roads and I don't know why they can't use Richville Drive when there is a road right there because I've walked it and they could be right there at the blacktop. They come down...Sunday morning a semi made the wrong turn; it turned in our circle, made a U-turn and went back down and went back up the road again. They use ours all the time. We live off of Championship and Par Four, they're using that circle as a turn around. Our roads aren't going to take much more, I'm telling you. They're going to end up crushing and sinking and it's going to be a big mess. I don't know why. I mean, Richville Drive is right there by that circle of the new Championship that is going up where the new allotment is. Why they can't come down there? I had a comment from one of the workers; they don't want to get their trucks muddy. Well, they're work trucks, buddy. I don't know why you're using our roads; they're going to ruin them. They're definitely going to ruin them. I have a question and I know we're not allowed to ask questions, but, if someone could check into it and let me know, our neighbors want to know why, they were unable to be here this evening, they were going through a little family crisis, why they're waiting until next year to dredge their pond behind the golf course area instead of doing it now? Because once we get our snow, once we start getting our October rain, November rain; all that's going to go back behind their homes and it's going to flood them again. So, I just wanted to know and if someone could check into it, why they're waiting until next year to dredge these ponds. Okay?

COUNCIL PRESIDENT ISTNICK – Thank you, Kathi.

KATHI WHITMER – Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else?

PETER RINK – I live at 2085 Championship Cir., Massillon, Ohio. Just a couple of things, we did have the meeting with the Mayor and the others and the end result of that was, it was my

understanding that there was going to be swells cutting behind John's house and further up. Not mounds of dirt. So, that's a total surprise right there. Again, that was the understanding that I left with and a lot of other people felt this way too. So why it's not being done is beyond me. They're far from being finished. The other thing is about the heavy equipment that Kathi referred to. That equipment, we're talking about blacktopping equipment, rollers and huge equipment coming down that road and they are actually right in front of my house. So, I don't know what's going on on the road, but maybe that should be looked at. But can't there be a weight limit for on that road while this is going? Is that within the City's capacity to do that?

COUNCIL PRESIDENT ISTNICK – I actually don't have an answer for that, I'm sorry.

PETER RINK – Okay. No, I'm just throwing it out there, if someone could look into it. That's it, thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

L.J. DELUCA – Hi, Madam President. How are you?

COUNCIL PRESIDENT ISTNICK – Good.

L.J. DELUCA – I heard your saying...2954 Veterans Blvd. S.E., Massillon, Ohio, The Legends of Massillon. I heard your comments here before the citizens get to speak, Madam President, and I want you to know personally for me and other residents, I don't think it's fair. I think that the City Council, you're sticking up for the Mayor. We have a right to speak about what's going on. We had the Mayor call me a liar. I misspoke about the \$250,000 because I couldn't get information for all of the Getz Building. I don't think you need to spend a penny on that. It's \$250,000 for the Getz Building including the bathrooms. I still think it's wrong. So, I owe the Mayor an apology for that. However, she did say I'm a liar in all things. I'm not a liar in all things. A liar means you know about it and you didn't actually know it. I didn't know about that. First off, I'm going to go over this by Samantha Walters, Sam. "I received your voicemail requesting an itemized cost estimate for the Getz Building project. This e-mail is to notify you that the City does not have an itemized cost breakdown." I tell you here, I have it right here in my hand. I think it's a joke. You don't like me talk about her or any of my residents to talk about the Administration, but I'm sorry, Mayor. Residents have a right to speak. You may not be favorable with you, but I think it's very unfair for Madam President to play this game with the Mayor and to let the residents not have time to tell it like it is. It may not be in the tone that it is, but what do you want, Madam President? What kind of a tone do you want? What do you want us to say? Do you want to have to write this down?

COUNCIL PRESIDENT ISTNICK – Nope.

L.J. DELUCA – I didn't go to Washington High School. I didn't take mathematics from you. But I feel, this will be my last time, I feel it's very unfair for you to do it to protect the Mayor of Massillon. She called me a liar. I'm not a liar on everything I didn't know about it. And number two, she wants to spend \$250,000. Well, all along we had the streetscape people down there; she comes in afterwards, the Mayor, Kathy Catazaro-Perry, and she says "How is it? Everything's great". When they went months and months and months. My goal is, not to cut the Mayor down or not to cut the City Engineer down, but we have rights to give for the City of Massillon and I just think, quite frankly, Madam President, you're not playing fair by this. I really do. I mean, I've been around a lot. This is not first rodeo. This is not the first in

business. This is not having meetings. Maybe what happened is I rattled the Mayor's cage a little bit too much with some of the truth and that's what the problem is. That's its exactly what the problem is. I had a lot to say about it, but I will take it in, Madam President. This is my last time here. But I want to talk about, because I did tell Darlene Schuring, who's a friend with the Mayor about the Akron/Canton Metroplex magazine that comes out. This is my last time here, but it's a nice magazine and what it is, it's directing out to 4,500 people. It's a B-to-B magazine, business to business and I talked earlier to Darlene, the wife of Kurt Schuring, our District 29 rep, and Darlene is friends, like I said, with the Mayor. This is positive, you guys will like this. It's something about the Repository, Independent, Beacon Journal, they all got together and you remember the Dallas/Ft. Worth metroplex and now they want to make the businesses whole here and I have no problem with that. You got a car dealer that's wants to sell cars; it's a B-to-B thing. I could see people using this, this is a good thing. So, if you're wanting Massillon part of it, Madam President, it is. It's part of that too. So, it's a great thing. A lots of content in it. Darlene said she'd be able to be here, I won't be here anymore, but she said she'd be willing if the Mayor would ask here. Also, I want to thank one friend, Mr. Jim Porter. He was the publisher of the Canton Repository, a friend of mine. I used to eat his hot dogs all the time at his place in Belden Village. We started laughing a lot and basically, he was involved in getting this. So, it's a nice thing and I want to thank you for letting me speak all these years, Madam President. But if any of my other residents would like to come back, I've been an advocate. I'm not going to be coming back here, Madam President, because I just don't think that you're running this right by saying what your comments that you said prior. Thank you, Madam President. I appreciate everything else that you've done. Thank you.

COUNCIL PRESIDENT ISTNICK – I will respond to Mr. Deluca. I would never, ever want you to think I didn't want you coming back and speaking your mind. I appreciate your comments. Sometimes you have some good ideas. I just don't think that we need to tell people that some of the City officials...my comments were never about the Mayor. They were about the Engineering Dept. that they're not doing their job. I think all of our City employees do their job. It may not always be what you think is the right way, but, I would never discourage you from coming back and speaking and I hope you reconsider. Anyone else?

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILMAN THIERET – I make a motion to adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT